

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PATRICK COTTER, et al.,
Plaintiffs,
v.
LYFT, INC.,
Defendant.

Case No. 13-cv-04065-VC

**ORDER RE FAIRNESS HEARING AND
SUPPLEMENTAL CLASS NOTICE**

Re: Dkt. Nos. 291, 292

The Court approves the supplemental class notice with the exception of sections 19-21. *See* Dkt. 291-1. Class members will be receiving new information about the amount of their compensation, the scope of claims released, and the grounds for attorneys' fees. Class members should have an opportunity to object in person to the information they learn. The Court will therefore hold a second fairness hearing on **March 9, 2017, at 10:00 am**. Sections 19-21 of the supplemental class notice should be revised to reflect this, and a final draft of the supplemental class notice must be filed with the Court for approval no later than December 28, 2016.

The Court further orders as follows:

1. By no later than January 1, 2017, the settlement administrator will undertake the same procedures for disseminating notice to all 202,030 class members as it took in initially disseminating the class notice. *See* Kovach Decl. (Dkt. 271-1) at ¶¶ 5-9.
2. Class members will be asked to submit claims by **January 31, 2017**, but the settlement administrator will accept claims up to and including February 28, 2017 (or later, as the parties may agree, depending on the timing of the settlement payment distribution).
3. Class members will have until **January 31, 2017** to exclude themselves (opt out)

from the settlement. Any requests to be excluded from the settlement must be postmarked by no later than January 31, 2017 and must comply with all other procedures for exclusion as set forth in the class notice. Extending the exclusion period is necessary to give effect to the supplemental notice regarding claims brought under the Fair Labor Standards Act. Now that class members will be told that failing to opt out of this settlement means releasing FLSA claims, they must have an opportunity to preserve those claims if they wish.


4. Class members will have until **January 31, 2017** to object to the settlement or to the plaintiffs' request for attorneys' fees and class representative service enhancements. Any objections must be postmarked by no later January 31, 2017 and must comply with all other procedures for objecting as set forth in the class notice.

5. The Spanish-language materials on the settlement website must be updated or supplemented to reflect the modified English-language class notice, once approved. The list of dates on the settlement website must also be updated.

6. Within 10 days of the close of the second notice period, the parties shall submit a supplemental declaration from the settlement administrator. This declaration will describe the efforts undertaken to effect this Order, provide updated data on the claims rate, and itemize the administration costs of supplemental class notice. These costs will be deducted from the award of attorneys' fees to the plaintiffs' counsel.

IT IS SO ORDERED.

Dated: December 23, 2016



VINCE CHHABRIA
United States District Judge